

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA,

CIVIL ACTION NO.:

Plaintiff,

HONORABLE:

vs.

ELLEN PEARSON, A.K.A. ELLEN RAE PEARSON

Defendant.

<b>COMPLAINT</b>
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TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

The United States of America, plaintiff, alleges that:

**Jurisdiction**

1. This Court has jurisdiction over the subject matter of this action pursuant to Article III, Section 2, U.S. Constitution and 28 U.S.C. § 1345.

**Venue**

2. The defendant is a resident of Macomb County, Michigan within the jurisdiction of this Court and may be served with service of process at 17195 Fraser Woods Dr., Apt. S532, Fraser, MI 48026.

**The Debt**

First Cause of Action - Claim Number: 2000A12820

3. The debt owed to the United States of America is as follows:

A. Current Principal ( <i>after application of all prior payments, credits, and offsets</i> )	\$608.39
B. Current Capitalized Interest Balance and Accrued Interest	\$296.54
C. Administrative Fee, Costs, Penalties	\$51.80
D. Credits previously applied ( <i>Debtor payments, credits, and offsets</i> )	\$0.00
<b>Total Owed – Claim Number 2000A12820</b>	<b>\$956.73</b>

Second Cause of Action - Claim Number: 2000A13480

4. The debt owed to the United States of America is as follows:

A. Current Principal ( <i>after application of all prior payments, credits, and offsets</i> )	\$300.00
B. Current Capitalized Interest Balance and Accrued Interest	\$260.07
C. Administrative Fee, Costs, Penalties	\$35.20
D. Credits previously applied ( <i>Debtor payments, credits, and offsets</i> )	\$0.00

**Total Owed - Claim Number 2000A13480** **\$595.27**

**TOTAL OWED (Claim Numbers 2000A12820 and 2000A13480)**

**\$1,552.00**

The Certificate of Indebtedness, which is attached to Plaintiff's Complaint, shows the total owed excluding attorney's fees and CIF charges. The principal balance and the interest balance shown on the Certificate of Indebtedness is correct as of the date of the Certificate of Indebtedness after application of all prior payments, credits, and offsets. Prejudgment interest accrues at the rate of 3% per annum on Claim Number 2000A12820 and 3% per annum on Claim Number 2000A13480.

**Failure to Pay**

5. Demand has been made upon the defendant for payment of the indebtedness, and the defendant has neglected and refused to pay the same.

WHEREFORE, United States of America prays for judgment:

A. For the sums set forth in paragraph 3 above, plus prejudgment interest through the date of judgment, all administrative costs allowed by law, and post-judgment interest pursuant to 28 U.S.C. § 1961 and that interest on the judgment be at the legal rate until paid in full;

- B. For attorneys' fees to the extent allowed by law; and,
- C. For such other relief which the Court deems proper.

Respectfully submitted,

SHERMETA, ADAMS & VON ALLMEN, P.C.

Dated: August 6, 2013

By: s/Deborah A. Winslow  
Deborah A. Winslow (P63179)  
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**U. S. DEPARTMENT OF EDUCATION  
SAN FRANCISCO, CALIFORNIA**

**CERTIFICATE OF INDEBTEDNESS**

ELLEN PEARSON  
AKA: ELLEN RAE PEARSON  
[REDACTED]  
LEONARD, MI [REDACTED]

SSN: [REDACTED] 4090

I certify that Department of Education records show that the debtor named above is indebted to the United States in the amount stated below plus additional interest from 3/16/00.

On or about 03/30/67, 09/08/67 & 02/01/68, the debtor executed promissory note(s) to secure loan(s) of \$250.00, \$250.00 & \$250.00 from Central Michigan University, Mt. Pleasant, MI at 3.00 percent interest per annum. The institution made the loan(s) under the Federally-funded National Direct Student Loan, now Perkins Student Loan, programs authorized under Title IV-E of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087 *aa et seq.* (34 C.F.R Part 674). The institution demanded payment according to the terms of the notes, and the debtor defaulted on the obligation on 10/15/74. Due to this default, the institution assigned all rights and title to the Department of Education.

After the institution credited all cancellations due and payments received, the debtor owed the school \$684.37 principal and interest in the amount of \$106.03. This principal and interest together with any unpaid late charges totaled \$790.40. The loan was assigned to the Department on 08/20/79.

Since assignment of the loan, the Department has received a total of \$548.38 in payments from all sources, including Treasury Department offsets, if any. After application of these payments, the debtor owes the United States the following:

Principal:	\$	608.39
Interest:	\$	52.18
Fees/Costs:	\$	51.80
Late charges	\$	0.00

Total Debt as of 3/16/00:	\$	712.37
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Interest accrues on the principal shown here at the rate of \$0.05 per day.

Pursuant to 28 U.S.C. S 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 3-21-00

Name: Marilyn E. [Signature]  
Title: Loan Analyst  
Branch: Litigation Branch

**U. S. DEPARTMENT OF EDUCATION  
SAN FRANCISCO, CALIFORNIA**

**CERTIFICATE OF INDEBTEDNESS**

ELLEN PEARSON  
AKA: ELLEN R. PEARSON  
[REDACTED]  
LEONARD, MI [REDACTED]

SSN: [REDACTED] 4090

I certify that Department of Education records show that the debtor named above is indebted to the United States in the amount stated below plus additional interest from 3/16/00.

On or about 1/3/75, the debtor executed promissory note(s) to secure loan(s) of \$300.00 from Mercy College of Detroit, Detroit, MI at 3.00 percent interest per annum. The institution made the loan(s) under the Federally-funded National Direct Student Loan, now Perkins Student Loan, programs authorized under Title IV-E of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087 *aa et seq.* (34 C.F.R. Part 674). The institution demanded payment according to the terms of the notes, and the debtor defaulted on the obligation on 4/15/76. Due to this default, the institution assigned all rights and title to the Department of Education.

After the institution credited all cancellations due and payments received, the debtor owed the school \$300.00 principal and interest in the amount of \$51.75. This principal and interest together with any unpaid late charges totaled \$351.75. The loan was assigned to the Department on 08/21/79.

Since assignment of the loan, the Department has received a total of \$122.77 in payments from all sources, including Treasury Department offsets, if any. After application of these payments, the debtor owes the United States the following:

Principal:	\$	300.00
Interest:	\$	139.56
Fees/Costs:	\$	35.20
Late charges	\$	0.00
 Total Debt as of 3/16/00:	 \$	 474.76

Interest accrues on the principal shown here at the rate of \$0.02 per day.

Pursuant to 28 U.S.C. S 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 3-21-00

Name: Marilyn Ginal  
Title: Loan Analyst  
Branch: Litigation Branch